

DOCKET NO.:

613776-A

ABNER HAYNES, JR.

\*

1<sup>ST</sup> JUDICIAL DISTRICT COURT

\*

VS.

\*

DIVISION: \_\_\_\_\_

\*

NORTHBRIDGE GENERAL  
INSURANCE COMPANY, 9272-  
5233 QUEBEC, INC. D/B/A  
CJ TRANSPORT AND  
SERGII SOKOLOV

\*

PARISH OF CADDO

\*

\*

STATE OF LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes ABNER HAYNES, JR. (herein referred to as "Petitioner"), a person of full age of majority and resident of Leon County, Texas, who respectfully avers:

1.

★ Made Defendant here is NORTHBRIDGE GENERAL INSURANCE COMPANY, a foreign insurance company whose principal place of business is 105 Adelaide Street West, Toronto, ON M5H 1P9 CA, which may be served via Long Arm Statute, 13:3201 *et seq.* and pursuant to the requirements of Article 5 of the Hague Convention. *Plaintiff requests citation be issued and service of process upon this Defendant through Louisiana Long Arm Statute La. R.S. 13:3201.*

2.

Made Defendant herein is 9272-5233 QUEBEC, INC. D/B/A CARGO JUNCTION TRANSPORT F/D/B/A CJ TRANSPORT, a foreign corporation, organized and existing under the laws of Canada, but doing business in the United States, including the state of Louisiana and/or who travels through Louisiana and whose principal place of business is listed as 1991 Montee Labossiere, Vaudreuil Dorion, QC J7V 8P2. Quebec, Inc is an interstate trucking carrier registered to engage in interstate commerce throughout the United States with the United States Department of Transportation. Quebec, Inc may be served via Long Arm Statute, 13:3201 *et seq.* and pursuant to the requirements of Article 5 of the Hague Convention. *Plaintiff requests citation be issued and service of process upon this Defendant through Louisiana Long Arm Statute La. R.S. 13:3201.*

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Wehre &  
Associates

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CLERK OF COURT

EXHIBIT

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3.

Made Defendant herein is SERGII SOKOLOV, upon information and belief, a person of the full age of majority and resident of Montreal QC, who resides at 5100 Rue Dudemine 209, Montreal, QC H4J 1N8 and who may be served via Long Arm Statute, 13:3201 *et seq.* and pursuant to the requirements of Article 5 of the Hague Convention. *Plaintiff requests citation be issued and service of process upon this Defendant through Louisiana Long Arm Statute La. R.S. 13:3201.*

4.

This court possesses personal jurisdiction over the Defendants because they have availed themselves to the jurisdiction of this Honorable Court, personally or through its agents, by committing a tortious act within the State of Louisiana and by conducting and engaging in substantial business and other activities in Louisiana by transporting goods and products in this State.

5.

Venue is proper in Caddo Parish pursuant to La. Code Civ. Proc. Art. 74 because the accident occurred in Caddo Parish, Louisiana.

6.

Defendants are indebted jointly, severally, and in solido for their negligent acts and omissions described below.

7.

On or about January 15, 2018, Petitioner, Abner Haynes, Jr., was sleeping in the sleeper berth of his 2012 Freightliner Cascadia with pneumatic tanker attached, parked in the Flying J Travel Center in Greenwood, Louisiana, when suddenly and without warning, a flatbed truck owned by Quebec, Inc. d/b/a CJ Transport (herein Quebec, Inc.), US DOT number 2798280, and being driven by Defendant, Sergii Sokolov, crashed into the rear of the Petitioner's vehicle. The impact caused Mr. Haynes to fly out of his sleeper berth causing injury to Mr. Haynes.

8.

Defendant, Northbridge General Insurance Corporation (herein "Northbridge"), issued a policy of insurance to Quebec, Inc. covering losses alleged herein. Pursuant to such insurance

contract, Northbridge is solidarily bound with Quebec, Inc. and Sergii Sokolov, and any and all of its permissive users/insureds for all damages adjudged herein. Pursuant to the terms of said insurance contract, Northbridge did agree to stand in judgment jointly, severally and *in solido* with defendants, Quebec, Inc. and Sergii Sokolov and any damages adjudged herein.

9.

Defendant, Sergii Sokolov owed Petitioner a duty of care to exercise all reasonable prudence and care expected of an operator of large commercial motor vehicles. Defendant, Sergii Sokolov, breached such duty and was negligent and at fault for the subject motor vehicle collision in the following non-exclusive particulars:

- a. failure to keep a proper lookout;
- b. failure to maintain control of his vehicle;
- c. failure to avoid collision with a parked vehicle and stop at a safe distance between the Petitioner's vehicle;
- d. operating the vehicle in an inattentive and distracted manner;
- e. failure to do that which should have been done so as to avoid the collision set forth herein; and
- f. other acts and/or omissions that will be proven at trial.

10.

Defendant, Quebec, Inc. is vicariously liable for the negligent acts and omissions of its employee Sergii Sokolov pursuant to the doctrine of Respondeat Superior and/or Agency.

11.

Defendant, Quebec, Inc., as a professional trucking company, owed Petitioner a high standard of care to exercise all reasonable prudence and care expected of a trucking company, and Quebec, Inc. breached such duty and was negligent or at fault for the subject motor vehicle collision in the following non-exclusive particulars:

- a. Negligent failure to adequately train and supervise driver, Sergii Sokolov;
- b. Negligent failure to adopt and implement appropriate policies and procedures governing the hiring, training, and supervision of drivers;
- c. other acts and/or omissions that will be proven at trial.

12.

Defendants' negligent acts and omissions, singularly and collectively, foreseeably, directly, and proximately caused Abner Haynes, Jr. to suffer general and special damages in the following non-exclusive particulars:

- a. Past medical bills and expenses;
- b. Future medical bills and expenses;
- c. Past loss of wages;
- d. Future loss of earning capacity past;
- e. Past and future physical injury, pain and suffering;
- f. Past and future mental and emotional anguish, anxiety, frustration, aggravation, worry and depression;
- g. Past and future physical and mental impairment;
- h. Past and future loss of enjoyment of life and other hedonic damages;
- i. Other damages, past, present and future, as the evidence may show and the law may allow.

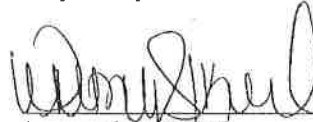
13.

Petitioner requests a trial by jury.

**PRAYER**

WHEREFORE, Petitioner prays that Defendants be cited to appear and answer herein and that after trial on the merits, Petitioner has judgment in his favor and recovers against Defendants the relief requested above, together with the costs of suit, all legal interest, and such other and further legal, equitable, and just relief to which Petitioner may show himself justly entitled.

Respectfully submitted:



Scott Webre, #27322  
Whitney S. Weir, #36313  
Webre & Associates  
2901 Johnston Street  
Suite 307  
Lafayette, Louisiana 70503  
(337) 237-5051  
(337) 237-5061 – facsimile

***ATTORNEYS FOR PETITIONER***

**PLEASE SERVE THE DEFENDANTS AS REQUESTED ABOVE**

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**MIKE SPENCE  
CADDO PARISH  
CLERK OF COURT**

SCANNED

Caddo Parish Courthouse  
501 Texas Street, Room 103  
Shreveport, LA 71101-6408



PLEASE LIST ALL DEFENDANTS AND  
SERVICE ADDRESSES ON SIGNATURE  
PAGE FOR CLERK TO BETTER PREPARE  
SERVICE.  
THANK YOU

TO

FROM

*[Handwritten signature]*

**FAX  
RECEIPT**

**ESTIMATED FILING  
FEE INCLUDING FAX**  
**\$ 600<sup>00</sup>**

- ▶ PLEASE ATTACH TO FRONT PAGE OF
- ▶ ORIGINAL PLEADING OR YOUR ORIGINAL
- ▶ SUIT MAY NOT BE FILED TIMELY
- ▶ PLACE NEW SUIT NUMBER ON ALL PLEADINGS

THE SUIT NUMBER ASSIGNED TO THIS CASE IS 613,776:A

**FAX LAW – Amended by Act 109, 2016**

**850. Facsimile transmission; filings in civil actions; fees; equipment and supplies**

- A. Any document in a civil action may be filed with the clerk of court by facsimile transmission. All clerks of court shall make available for their use equipment to accommodate facsimile filing in civil actions. Filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court. No later than on the first business day after receiving a facsimile filing, the clerk of court shall transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing of the original document. The facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court and payable as provided in Subsection B of this Section. The facsimile filing shall have the same force and effect as filing the original document, if the filing party complies with Subsection B of this section.
- B. Within seven days, exclusive of legal holidays, after the clerk of court receives the facsimile filing, all of the following shall be delivered to the clerk of court:
- (1) The original document identical to the facsimile filing in number of pages and in content of each page including any attachments, exhibits, and orders. A document not identical to the facsimile filing or which includes pages not included in the facsimile filing shall not be considered the original document.
  - (2) The fees for the facsimile filing and filing of the original document stated on the confirmation of receipt, if any.
  - (3) A transmission fee of five dollars.
- C. If the filing party fails to comply with any of the requirements of Subsection B of this section, the facsimile filing shall have no force or effect. The various district courts may provide by court rule for other matters related to filings by facsimile transmission.
- Act 1991, No. 483, Acts 1996, No. 1119, Acts 2012, No. 826, Acts 2016, No. 109.

★ ★ **ATTENTION FILING CLERK** ★ ★

**THIS IS THE ORIGINAL OF A PREVIOUSLY FAXED PLEADING.  
FILE IMMEDIATELY**



01/11/2019 08:50 Caddo Clerk of Court  
JAN/10/2019/THU 05:06 PM Webre & Associates

(FAX)3182279080  
FAX No. 337-237-5061

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SCANNED

DOCKET NO.:

613.776 - A

ABNER HAYNES, JR.

1<sup>ST</sup> JUDICIAL DISTRICT COURT

VS.

DIVISION: \_\_\_\_\_

NORTHBRIDGE GENERAL  
INSURANCE COMPANY, 9272-  
5233 QUEBEC, INC. D/B/A  
CJ TRANSPORT AND  
SERGII SOKOLOV

PARISH OF CADDO

STATE OF LOUISIANA

PETITION FOR DAMAGES

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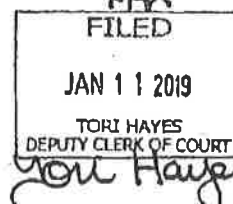
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CPCC.CV.878595

## Long-Arm Citation

ABNER HAYNES JR  
VS  
NORTHBRIDGE GENERAL INSURANCE  
COMPANY, ET AL

NO. 613776 – A  
STATE OF LOUISIANA  
PARISH OF CADDO

FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: NORTHBRIDGE GENERAL INSURANCE COMPANY

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition.\* The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within THIRTY (30) days after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Caddo Parish Court House, 501 Texas Street, Room 103, Shreveport, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within THIRTY (30) days, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Caddo Parish, on this date January 28, 2019.

\*Also attached are the following:

MIKE SPENCE, CLERK OF COURT

REQUEST FOR ADMISSIONS OF FACTS

INTERROGATORIES

REQUEST FOR PRODUCTION OF DOCUMENTS

By: \_\_\_\_\_

Deputy Clerk

WHITNEY S IKERD

Attorney

# FILE COPY

debbies

CPCC.CV.992099

**Long-Arm Citation**

ABNER HAYNES JR  
VS  
NORTHBRIDGE GENERAL INSURANCE  
COMPANY, ET AL

NO. 613776 - A  
STATE OF LOUISIANA  
PARISH OF CADDO

FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: 9272-5233 QUEBEC, NC. DBA CCARGO JUNCTION  
TRANSPORT FDBA CJ TRANSPORT

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This Citation was issued by the Clerk of Court for Caddo Parish, on this date March 14, 2019.

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MIKE SPENCE, CLERK OF COURT

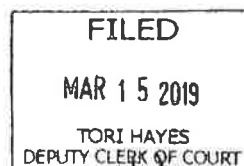
\_\_\_\_ REQUEST FOR ADMISSIONS OF FACTS  
\_\_\_\_ INTERROGATORIES  
\_\_\_\_ REQUEST FOR PRODUCTION OF DOCUMENTS  
\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
SCOTT WEBRE  
Attorney

**FILE COPY**

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## Long-Arm Citation

ABNER HAYNES JR  
VS  
NORTHBRIDGE GENERAL INSURANCE  
COMPANY, ET AL

NO. 613776 – A  
STATE OF LOUISIANA  
PARISH OF CADDO

FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: SERGII SOKOLOV

YOU HAVE BEEN SUED.

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MIKE SPENCE, CLERK OF COURT

\_\_\_\_ REQUEST FOR ADMISSIONS OF FACTS

\_\_\_\_ INTERROGATORIES

\_\_\_\_ REQUEST FOR PRODUCTION OF DOCUMENTS

By: \_\_\_\_\_

Deputy Clerk

\_\_\_\_ SCOTT WEBRE

Attorney

# FILE COPY

613776

DOCKET NO.: \_\_\_\_\_

ABNER HAYNES, JR.

VS.

NORTHBRIDGE GENERAL  
INSURANCE COMPANY, 9272-  
5233 QUEBEC, INC. D/B/A  
CJ TRANSPORT AND  
SERGII SOKOLOV

\* 1ST JUDICIAL DISTRICT COURT  
\*  
\* DIVISION: A  
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\* PARISH OF CADDO  
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\* STATE OF LOUISIANA

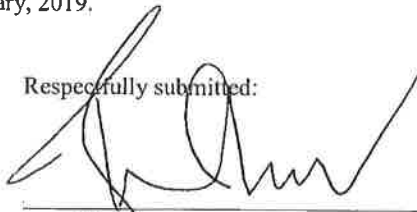
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REQUEST FOR WRITTEN NOTICE

COMES NOW, Petitioner, ABNER HAYNES, JR. , who requests written notice of all trial dates, pre-trial conferences, trials of motions, rules, exceptions, and any and all judgments, reasons for judgment, whether final or interlocutory, pertaining to the captioned cause of action, mover hereby avails itself of those Articles of the Louisiana Code of Civil Procedure pertaining thereto and request written notice for all matters to which they are entitled under the Louisiana Code of Civil Procedure.

Lafayette, Louisiana, this 10<sup>th</sup> day of January, 2019.

Respectfully submitted:



Scott Webre, #27322  
Whitney S. Ikerd, #36313  
Webre & Associates  
2901 Johnston Street  
Suite 307  
Lafayette, Louisiana 70503  
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ATTORNEYS FOR PETITIONER

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SERVICE		

